

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6731

BILL NUMBER: HB 1204

NOTE PREPARED: Jan 31, 2012

BILL AMENDED: Jan 31, 2012

SUBJECT: Sex Offender Registry.

FIRST AUTHOR: Rep. Dermody

FIRST SPONSOR: Sen. Steele

BILL STATUS: As Passed House

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: Local

Summary of Legislation: (Amended) This bill has the following provisions:

- A. *Sexual Misconduct by a Service Provider* – It provides that if a person is considered to be a sex offender who must register as a sex or violent offender with the appropriate law enforcement agency if the person is: (1) a public servant or other person employed by a governmental entity or another person who provides goods or services to a person who is subject to lawful detention; and (2) convicted of engaging in sexual intercourse or deviate sexual conduct with another person who is subject to lawful detention.
- B. *Sex or Violent Offenders No Longer Required to Register* – It specifies that when the duty of a sex offender, a violent offender, or a sexually violent offender to register changes due to a court order based on a change in the law, the expiration of the required registration period, or certain other reasons, the offender's address must be removed from the public portal for the sex and violent offender registry. It specifies that the address remains available to law enforcement officials and the Department of Correction and that no other information may be removed from the registry.
- C. *“Romeo and Juliet” Relationships* – It establishes the conditions under which a person who was convicted of sexual misconduct with a minor while engaged in a dating relationship with the minor no longer must register and update registration information on the registry.

Effective Date: July 1, 2012.

Explanation of State Expenditures:

Explanation of State Revenues:

Explanation of Local Expenditures: *Sexual Misconduct by a Service Provider* – Added costs from this provision should be minimal. Offenders who are sentenced for this crime are currently not required to register in the Sex Offender Registry. These offenders would now be required to register once they are released from prison. In CY 2011, four offenders were committed for sexual misconduct by a service provider.

Offenders No Longer Required to Register – County sheriffs would no longer be required to visit these sex offenders once a year if they are no longer required to be on the Sex and Violent Offender Registry. Any reduction in costs for county sheriffs will depend on the number of these offenders who reside in a given county.

“Romeo and Juliet” Relationships – The court would have the discretion to order that certain sex offenders be removed from the Sex or Violent Offender Registry. Depending on how many petitions are filed, most courts should be able to resolve these cases with existing resources.

Explanation of Local Revenues:

State Agencies Affected: Department of Correction.

Local Agencies Affected: County sheriff.

Information Sources: Department of Correction Offender Information System.

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